

April 1940

Masthead Volume 46, Issue 3

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Recommended Citation

Masthead Volume 46, Issue 3, 46 W. Va. L. Rev. (1940).

Available at: <https://researchrepository.wvu.edu/wvlr/vol46/iss3/1>

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West Virginia Law Quarterly

and The Bar

Published by the Faculty of the College of Law of West Virginia University, and issued in December, February, April and June of each academic year. Official publication of The West Virginia Bar Association.

Subscription price to individuals, not members of The West Virginia Bar Association, \$2.00 per year. To those who are members of the Association the price is \$1.00 per year and is included in their annual dues. Single copies, 50 cents.

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PUBLICATION OF PROCESS IN ATTACHMENT PROCEEDINGS

It would seem that a change introduced in the attachment statutes by the Revised Code has created a situation of uncertainty with reference to a matter that was formerly definitely settled by statute in this state. In the former Code, it was definitely and specifically prescribed that the attachment should be levied before the order of publication should be made.

“When any attachment, except under the third section, is returned executed, an order of publication, as prescribed in chapter one hundred and twenty-four shall be made against the defendant against whom the claim is, unless he has been served with a copy of the attachment or with process in the suit in which the attachment is issued.”¹

In the Revised Code, the following section was substituted for the section above.

¹ W. VA. CODE (Barnes, 1923) c. 106, § 17.